

Fremont Conservation Commission
10-20-08 Minutes



Fremont Conservation Commission
Minutes of October 20, 2008
Approved November 17, 2008

Present: Chairman John (Jack) Karcz, Members Janice O'Brien, Bill Knee, Tina Sturdivant, Pat deBeer and Recording Secretary Meredith Bolduc.

Chrm. Karcz opened the meeting at 7:30 pm.

MINUTES

Mbr. O'Brien made the motion to accept the minutes of the October 6, 2008 meeting as written. The motion was seconded by Mbr. deBeer with unanimous favorable vote.

Mbr. O'Brien made the motion to accept the minutes of the October 6, 2008 non-public meeting as written.

The motion was seconded by Mbr. Knee with unanimous favorable vote.

BETTENCOURT/EXETER RIVER CAMPING AREA
Map 2 Lot 029

Mbr. O'Brien said that according to Chris Bryson of DES because the Exeter River Camping Area is an existing campground it is not subject to the DES permitting process unless the owners were to do alterations to the property.

The Members reviewed a document drafted by Mbr. O'Brien to submit to the ZBA as a response for further comment for the Estate of Frank Bettencourt, Sr. case (Map 2 Lot 029). This was per agreement of the Members at the October 6, 2008 meeting. The document addressed the 5 conditions of a Variance and stated the reasons for the following; There **would** be a diminution in value of surrounding properties as a result of granting this Variance, granting of this Variance **would** be contrary to public interest, denial of the Variance **would not** result in unnecessary hardship to the owner, by granting this Variance substantial **injustice would** be done, and the use contemplated by petitioner as a result of obtaining this Variance **would** be contrary to the spirit of the ordinance because: *it is in direct conflict with Article IX Wetland and Watershed Protection District of the Fremont Zoning Ordinance.*

With some minor adjustments, the Conservation Commission Members agreed to submit the document as their comments to the ZBA.

(See entire document in file)

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WATER RIGHTS ORDINANCE

Mbr. deBeer distributed a list of information she had gathered through research relative to water rights and a water rights ordinance. This information led to a number of legal questions relative to large groundwater withdrawal. Mbr. deBeer suggested, and the Members agreed, that she contact a NH Local Government Center attorney to verify whether water resources can be held in public trust and to help address other legal concerns.

There was a conversation relative to the Town's Water Resource Plan and Chrm. Karcz related that the Planning Board is looking to contract RPC, through the Targeted Block Grant (TBG) to draft an amendment to the existing Water Resource Plan which would become a part of the NRI section of the Master Plan.

ERLAC

Signs

Mbr. Sturdivant said that the protected river sign at the rail trail should be in place by this Wednesday.

NH CONSERVATION CORPS

The Members discussed the Student Conservation Association's NH Conservation Corps application for the 2009 summer and fall season projects and agreed that there is not a project that would fit the criteria at this time.

COMMUNITY INVOLVEMENT

The Commission received an October 9, 2008 correspondence from the Selectmen relative to a possible "job fair", or some other strategy, to bolster community involvement and participation by joining some of the Town Boards and Commissions. The Selectmen have asked for the Members thoughts and whether they would be interested in providing information should such an event occur.

The rationale is that the same people serve on several boards/commissions and the idea is to let others know that there is a need for volunteers.

The Members were collectively supportive of the idea and agreed to help with the effort.

CONSERVATION COMMISSION ZONING ORDINANCE; NH RSA 36-A: 4-a

The Commission received a correspondence from the NH Association of Conservation Commissions advising of a change in the provision of RSA 36-A that authorizes Town Conservation Commissions to make contributions from their conservation funds to "qualified organizations" for acquisition of property interests (fee or easement) held by the organizations, and/or transaction costs related to these purchases. There is also a section of the new law that specifically allows towns to purchase property outside of the Town boundaries. The letter included specific language of; 1) An article to put before the voters at the 2009 Town Meeting that would give the Conservation Commission the ability to support land protection projects by giving money to a qualified organization (such as a land trust) without taking a property interest, the community would need to pass this article; and 2) An article that would give the Conservation Commission the ability to spend money on projects that occur outside of the municipal boundaries.

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After some conversation the Members agreed to discuss this at a later date.

COMMUNITY VIZ CLASS

Mbr. deBeer related that UNH is offering a new one day class on CommunityViz, the software package we have mentioned at previous Conservation Commission meetings regarding build out analysis, zoning models, etc. The UNH Cooperative Extension is offering an introductory rate of \$50 since it is the first time this class will be taught by the Cooperative Extension. She has submitted the application and requested that the Commission reimburse her for the registration fee. Mbr. Knee asked if there is a computer within the Town that will support the software. Mbr. deBeer answered that she does not know, however she does know that the Town does not have ArcGIS Desktop, a separate software package which is necessary to use the supplemental CommunityVIZ software.

Mbr. O'Brien made the motion that the Conservation Commission reimburse Mbr. deBeer the \$50 registration cost for the Community Viz session, to be taken from the "Meetings and Seminars" line of the current budget.

Motion seconded by Mbr. Sturdivant with unanimous favorable vote.

Mbr. deBeer stated that she is thinking of going to the Watershed Conference put on by DES, Rivers Counsel and asked if the Commission would agree to reimburse her for the \$20 registration fee. The Members agreed that they would.

CITIZENS GUIDE TO LAND USE REGULATIONS

There was a discussion relative to the Town of Brentwood citizens guide to land use regulations put out by the Brentwood Conservation Commission, with the help of the NHEP. Mbr. Sturdivant suggested that it may be nice to produce something like that for Fremont.

SHORELAND PROTECTION PRESENTATION

Mbr. Sturdivant reported that the Sandown Conservation Commission is putting on a presentation about the new Comprehensive Shoreland Protection Act. She will e-mail the information relative to the date and time.

OPEN SPACE COMMITTEE

Mbr. O'Brien reported that Open Space Committee Member Kenn Jones is looking to put together a handout outlining all of the grants that the Conservation Commission and Open Space Committee have applied for and been awarded, as well as information on other things that they have done. He was hoping to have a hand-out ready for Election Day. Mrs. Bolduc stated that she is working on a list for the hand-out.

INCOMING CORRESPONDENCE

1. The Commission received a NH Water Plan Survey that is being conducted by the UNH Survey Center in partnership with Weston and Sampson on behalf of NH DES and the NH Legislature's Water Resource Committee. Mrs. Bolduc said that she has already completed and submitted a copy of the

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survey and that a Conservation Commission Member may want to also complete and submitted a copy.
Mbr. deBeer agreed to fill out the survey on-line.

Mbr. O'Brien made the motion to adjourn at 9:10 pm.
Motion seconded by Mbr. Sturdivant with unanimous favorable vote.

Meredith Bolduc
Recording Secretary